

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark A. Kutney, AICP, Development Services Director/ (954) 797-1101

PREPARED BY: Lise Bazinet, Planner II

SUBJECT: P 6-2-06 / 06-75 / New Dawn Davie/ 5480 Southwest 76th Avenue / West side of Southwest 76th Avenue, between Griffin Road and Stirling Road, east of University Drive.

AFFECTED DISTRICT: District 2

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT KNOWN AS THE “NEW DAWN DAVIE” AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR’S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF:

The petitioner requests approval of the plat known as “New Dawn Davie.” The plat consists of 13.68 acres (595,935 square feet) of land. The plat is proposing the following restrictions:

- a. The first floor on parcel “A” shall not exceed 5,000 square feet of bank use, including a covered drive thru and the remaining floors on parcel “A” shall total no more than 9,500 square feet of office use.
- b. All first floors on parcel “B” shall not exceed 27,000 square feet of commercial use and the remaining floors on parcel “B” shall total no more than 65,000 square feet of office use.
- c. The total of all floors on parcel “C” shall not exceed 63,500 square feet of office use.

Access is provided by a 40’ x 100’ access easement from University Drive located at the northwest corner of the plat and a 50’ access opening from S.W. 76th Avenue at the northeast corner. Staff finds that the proposed “New Dawn Davie” plat is in accordance with the Comprehensive Plan and Land Development Code as it relates to access, location, and size.

PREVIOUS ACTIONS: None

CONCURRENCES:

At the December 13, 2006 Planning and Zoning meeting, Mr. Stevens made a motion, seconded by Chair Bender, to approve with staff’s recommendations. **(Motion carried 4-0 with Mr. Stevens being out of the room).**

FISCAL IMPACT: N/A

RECOMMENDATION(S):

Staff finds the subject application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration. In addition, the following conditions shall be met:

1. Sufficient capacity of the regional road network, as determined by Broward County. In the event that sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.
2. Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.

Attachment(s): Resolution, Planning Report, Plat

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT KNOWN AS THE "NEW DAWN DAVIE" AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the proposed plat to be known as the New Dawn Davie was considered by the Town of Davie Planning and Zoning Board on December 13, 2006;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The plat known as the "New Dawn Davie" is hereby approved subject to the conditions stated on the planning report which is attached hereto as Exhibit "A" and made a part hereof.

SECTION 2. The Mayor is authorized to sign said plat on behalf of the Town and the Town Clerk is directed to affix the Town seal to said plat.

SECTION 3. Any improvements required to satisfy Traffic Concurrency should be located within the Town of Davie.

SECTION 4. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2007.

MAYOR/COUNCILMEMBER

Attest:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2007.

EXHIBIT “A”**Application:** P 6-2-06 / 06-75 / New Dawn Davie Plat**Original Report Date:** 11/27/06**Revision(s):** 12/18/06

TOWN OF DAVIE
Development Services Department
Planning and Zoning Division
Staff Report and Recommendation

Applicant Information

Petitioner:

Name: Pillar Consultants Inc.
Address: 5230 S. University Drive, Suite 104
City: Davie, FL 33328
Phone: (954) 680-6533

Owner:

Name: Davie Acres, L.L.C.
Address: 11802 North Island Road
City: Cooper City, FL 33026
Phone: (954) 815-1823

Background Information

Application Request: Approval of plat known as “New Dawn Davie”

Address: 5480 Southwest 76th Avenue

Location: Generally located on the west side of SW 76th Ave. between Griffin Road and Stirling Road, east of University Drive.

Future Land Use Plan Map: Commerce/Office

Zoning: CC, Commerce Center

Existing Use(s): Vacant

Parcel Size: 13.68 acres (595,935 square feet)

Proposed Use(s): Office, retail, and medical facilities

Surrounding Uses:

North: Self-storage facility
South: Lakeside Town Shops
East: Single-family residential
West: Davie Square Shopping Center

Surrounding Land**Use Plan Map Designations:**

Commerce/Office
Commerce/Office
Residential
Commerce/Office

Surrounding Zoning:

North:	CC, Commerce Center District
South:	CC, Commerce Center District and UC, Urban Commercial District
East:	A1, Agricultural District
West:	B-2, Community Business District

Zoning History**Related Zoning History:**

Records indicate that the existing Future Land Use Plan Map designation and Zoning classification were in place at the time of annexation.

Application Details

The applicant's SUBMISSION indicates the following:

1. *Site:* The proposed plat is 13.68 acres (595,935 square feet) in area.
2. *Restrictive Note:* The plat is proposing the following restrictions:
 - d. The first floor on parcel "A" shall not exceed 5,000 square feet of bank use, including a covered drive thru and the remaining floors on parcel "A" shall total no more than 9,500 square feet of office use
 - e. All first floors on parcel "B" shall not exceed 27,000 square feet of commercial use and the remaining floors on parcel "B" shall total no more than 65,000 square feet of office use.
 - f. The total of all floors on parcel "C" shall not exceed 63,500 square feet of office use.
3. *Access:* Access is provided by a 40' x 100' access easement from University Drive located at the northwest corner of the plat and a 50' access opening from S.W. 76th Avenue at the northeast corner.
4. *Trails:* An equestrian trail (Wolf Lake Park Trail) runs along the eastern boundary line, parallel to S.W. 76th Avenue. A recreational trail (Driftwood Park Trail) runs along the western boundary line, parallel to University Drive.
5. *Easements and Reservation:* The plat is proposing the following easements and reservations:
 - g. Twelve (12) foot utility easement along the western and eastern boundary lines.
 - h. Sixty (60) foot existing drainage easement along the eastern boundary line.
6. *Dedications:* The plat is proposing the following dedications:
 - i. Five (5) foot additional right-of-way along the eastern boundary line.
 - j. Forty (40) foot additional right-of-way along the western boundary line.
7. *Drainage:* This subject site is within the Central Broward Water Control District. Central Broward Water Control District approval is required prior to the issuance of any site development permit.
8. *Compatibility:* The proposed Office, retail, and medical uses are compatible with the surrounding commercial uses to the north, south and west. The buildings will be located approximately 324 feet from the existing residential development to the east with sufficient landscape buffer to be considered compatible with the existing residential uses to the east.

Applicable Codes and Ordinances

The effective Code of Ordinances governing this project is the Town of Davie Land Development Code.

Article XII Subdivisions and Site Plans.

Land Development Code (Section 12-360(B)(1)) Platting requirements.

Land Development Code (Section 12-366.1 (A) thru (D)) Submission requirements for plats.

Land Development Code (Section 12-83) Table of Conventional Nonresidential Development Standards.

Comprehensive Plan Considerations

Planning Area: The subject property is located within Planning Area 10; the east of this planning area, where this property is located, is predominately small-scale commercial development, with multifamily residential dwellings.

Broward County Land Use Plan: The subject property is located within Flexibility Zone 102.

Applicable Goals, Objectives & Policies:

Future Land Use Plan, Objective 17: Land Use Compatibility and Community Appearance, Policy 17-3: Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

Future Land Use Plan, Objective 5: Consistency of Development with Comprehensive Plan, Policy 5.2: The (re)zoning, (re)platting and site planning of land shall be in compliance with the density ranges shown on the Davie Future Land Use Plan map and the applicable Future Land Use Designation provisions as contained in the Permitted Uses portion of the Implementation Section.

Significant Development Review Committee (DRC) Comments

These following comments represent significant comments made by the Development Review Committee as part of the review process. All comments have been addressed unless otherwise indicated.

Planning and Zoning:

1. Provide signed and sealed survey dated within the last two (2) years.
2. Rename the Town of Davie Development Services Department signature line from “ Director” to “Designee”.

Engineering:

1. Provide additional road right -of-way as applicable.
 2. Provide drainage easements on proposed plat.
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Staff Analysis

The proposed plat is consistent with the Comprehensive Plan and Land Development Code as it relates to access, location, size and use. Development of this site as proposed does not exceed what was anticipated by the Future Land Use Map designation. Broward County requires that the owner pay Roadway Concurrency fees to mitigate the peak hour traffic impact of the plat.

Findings of Fact

Staff finds that the proposed “New Dawn Davie” plat is in accordance with the Town of Davie’s Comprehensive Plan and Land Development Code as it relates to access, location, and size. The Commerce/Office land use can be considered compatible with existing and future uses along University Drive and S.W. 76th Avenue.

Staff Recommendation

Staff finds the subject application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration, subject to the following conditions:

1. Sufficient capacity of the regional road network, as determined by Broward County. In the event that sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.
2. Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.

Planning and Zoning Board Recommendation

At the December 13, 2006 Planning and Zoning meeting, Mr. Stevens made a motion, seconded by Chair Bender, to approve with staff’s recommendations. **(Motion carried 4-0 with Mr. Stevens being out of the room).**

Town Council Action

Exhibits

1. Future Land Use Plan Map
2. Zoning and Aerial Map

Prepared by: _____

Reviewed by: _____

File Location: P&Z\Lise Bazinet\Applications\Lorson Professional \P 4-1-06

Exhibit 1 (*Future Land Use Plan Map*)

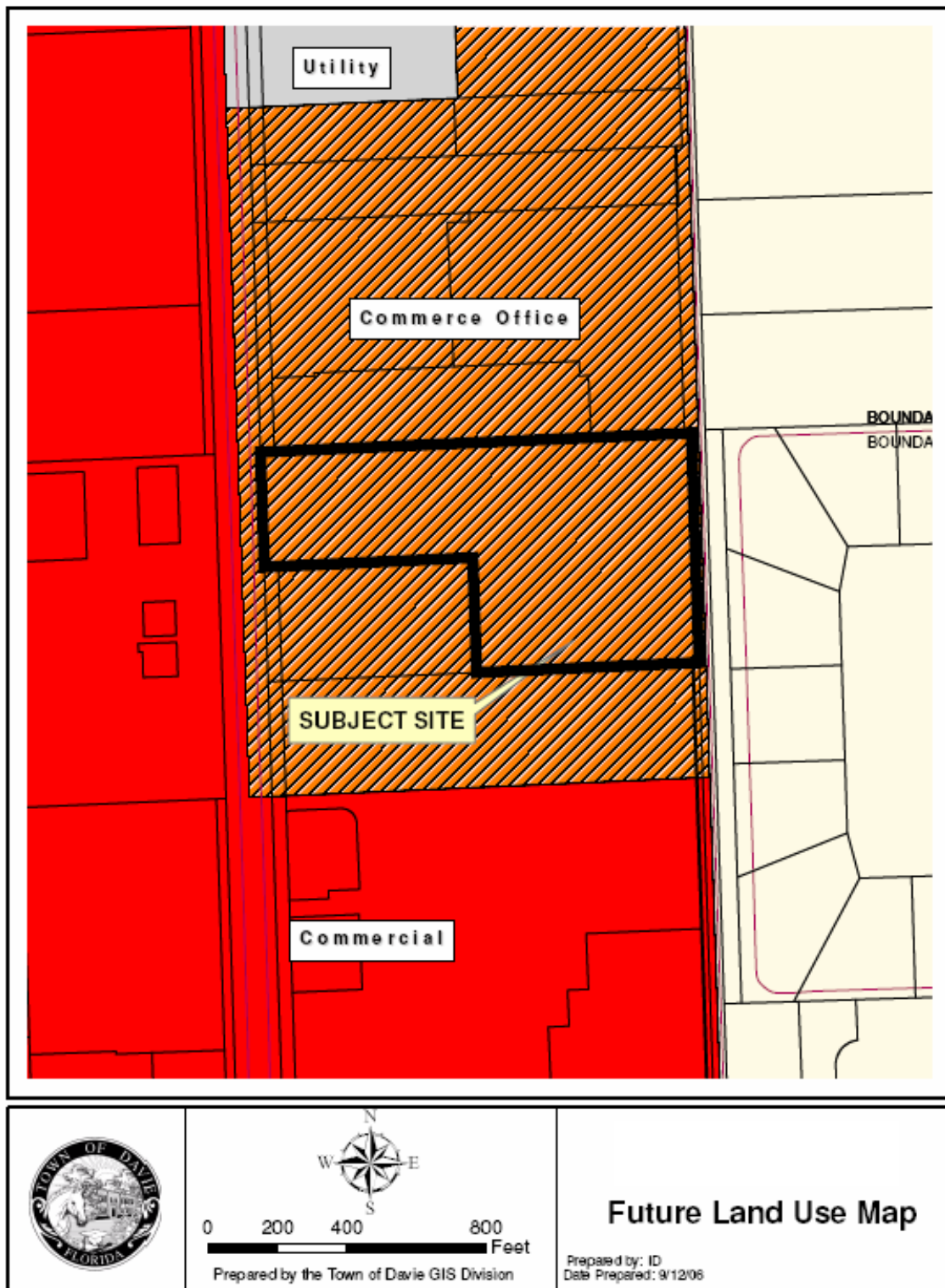
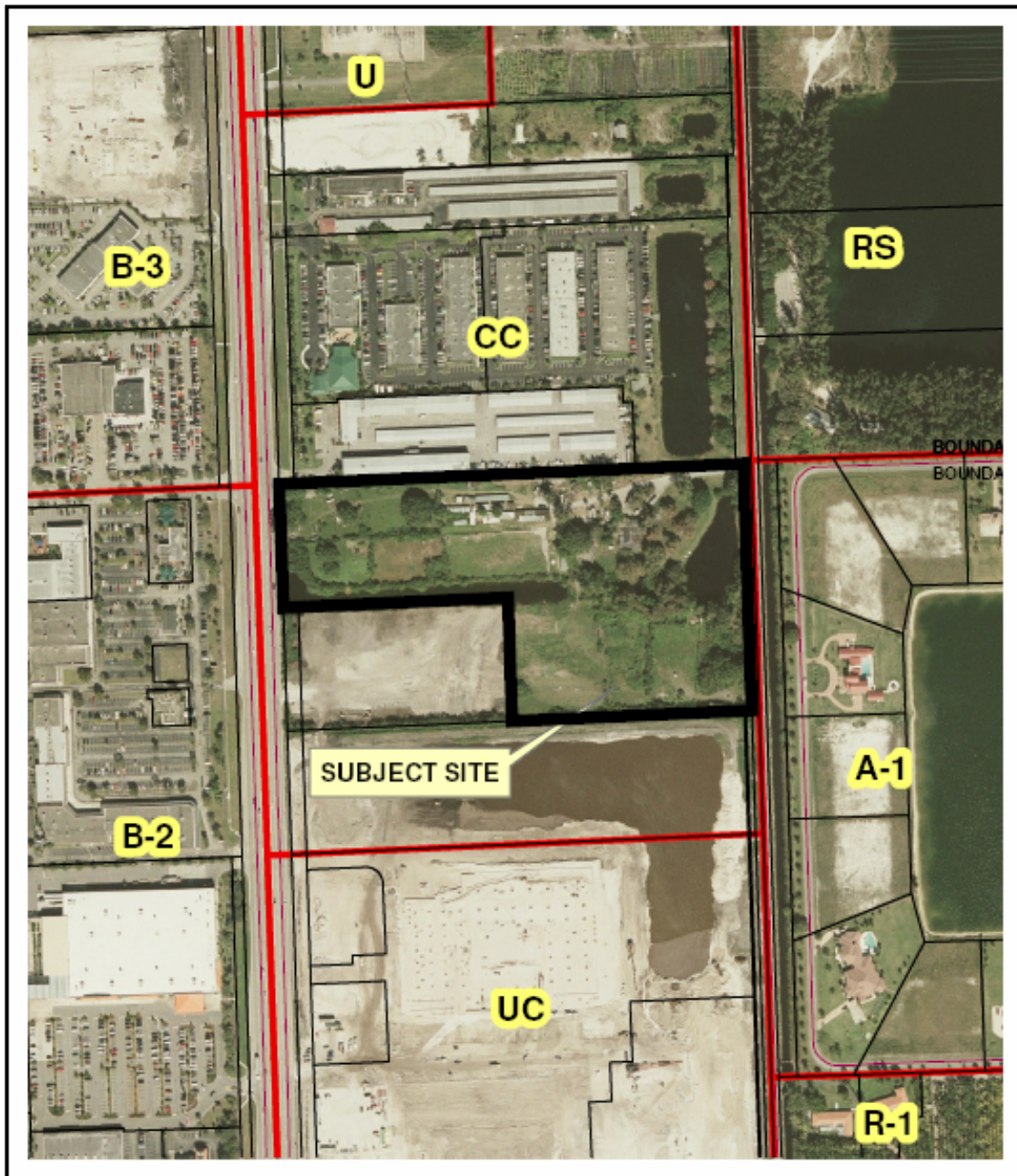


Exhibit 2 (*Aerial, Zoning, and Subject Map*)



Date Flown:
12/2004



0 200 400 800 Feet

Prepared by the Town of Davie GIS Division

Zoning and Aerial Map

Prepared by: ID
Date Prepared: 9/12/06